08-0004

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Government of the Republic of Kosovo and has the honor to refer to discussions between the two Governments regarding grants under the Foreign Assistance Act of 1961, as amended, or successor legislation, and the furnishing of defense articles, related training, and other defense services, including pursuant to the United States International Military Education and Training Program, from the United States of America to the Government of the Republic of Kosovo pursuant to the Foreign Assistance Act of 1961 or successor legislation.

In accordance with these discussions, it is proposed that the Government of the Republic of Kosovo agree:

A) That unless the consent of the Government of the United States of America has been first obtained, the Government of the Republic of Kosovo shall not:

(I) Permit any use of such defense articles, related training, including training materials, or other defense services by anyone who is not an officer, employee or agent of the Government of the Republic of Kosovo;

(II) Transfer, or permit any officer, employee, or agent of the Government of Kosovo to transfer, such defense articles, related

training, including training materials, or other defense services for purposes other than for which provided;

(III) Use, or permit the use of, such defense articles, related training, including training materials, or other defense services for the purposes other than those for which provided;

B) That such defense articles, related training, including training materials, or defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C) That the net proceeds of sale received by the Government of the Republic of Kosovo in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America.

D) That the Government of the Republic of Kosovo shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of

America; that as the United States of America it may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Kosovo; and

E) That the Government of the United States of America may also, from time to time make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs note stating that the foregoing is acceptable to the Government of the Republic of Kosovo shall, together with this note, constitute an agreement between the two Governments, which shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America avails itself of this opportunity to renew the Ministry of Foreign Affairs of the Republic of Kosovo the assurances of its highest consideration.

Embassy of the United States of America

Pristina, June 16 2008

Republika e Kosovës
Republika Kosova - Republic of Kosovo
Qeveria - Vlada - Government

Ministria e Punëve të Jashtme – Ministarstvo Inostranih Poslova – Ministry of Foreign Affairs

No.20

The Ministry of Foreign Affairs of the Republic of Kosovo presents its compliments to the Embassy of the Untied States of America in Pristina and acknowledges receipt of the Embassy's note No. 08-0004 dated June 16, 2008, which reads as follows:

A) That unless the consent of the Government of the United States of America has been first obtained, the Government of the Republic of Kosovo shall not:

(I) Permit any use of such defense articles, related training, including training materials, or other defense services by anyone who is not an officer, employee or agent of the Government of the Republic of Kosovo;

(II) Transfer, or permit any officer, employee, or agent of the Government of Kosovo to transfer, such defense articles, related training, including training materials, or other defense services for purposes other than for which provided;

(III) Use, or permit the use of, such defense articles, related training, including training materials, or other defense services for the purposes other than those for which provided;

B. That such defense articles, related training, including training materials, or defense services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Kosovo in disposing of, with prior written consent of the Government of the United States of America, any defense article furnished by the

Government of the United States of America on a grant basis, including scrap from any such defense article, shall be paid to the Government of the United States of America.

D. That the Government of the Republic of Kosovo shall maintain the security of such defense articles, related training, including training materials, and other defense services; that it shall provide substantially the same degree of security protection afforded to such defense articles, related training, including training materials, or other defense services by the Government of the United States of America; that as the United States of America it may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Kosovo; and

E. That the Government of the United States of America may also, from time to time make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Ministry of Foreign Affairs of the Republic of Kosovo has the honor to confirm that the proposals set forth in the Embassy's note are acceptable to the Government of the Republic of Kosovo and that the Embassy's note and this note in reply shall constitute an Agreement between the governments which shall enter into force on this date.

The Ministry of Foreign Affairs of the Republic of Kosovo

Prishtina, June 17th, 2008